

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JIMMY LYONS, *et al.*, individually and on behalf
of all others similarly situated,

Plaintiffs,

v.

LITTON LOAN SERVICING LP, *et al.*,

Defendants.

Case No. 1:13-cv-513-ALC-HBP

**NOTICE OF MOTION TO DISMISS BY DEFENDANTS
SAXON MORTGAGE SERVICES, INC. AND MORGAN STANLEY**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the Declaration of Mary Gail Gearn, dated February 20, 2015, and the exhibits thereto, and all prior pleadings and proceedings herein, Defendants Saxon Mortgage Services, Inc. and Morgan Stanley will move this Court, before the Honorable Andrew L. Carter, Jr., at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York, on a date and at a time to be determined by the Court, for an order dismissing all claims asserted against them in the Second Amended Complaint, with prejudice, under Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure, and for such other and further relief as the Court may deem just and proper.

[Remainder of page intentionally left blank.]

Dated: New York, New York
February 20, 2015

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ Mary Gail Gears
Mary Gail Gears

Matthew Minerva

Michael J. Ableson

399 Park Avenue

New York, New York 10022

Tel: (212) 705-7000

Fax: (212) 752-5378

Email: marygail.gears@morganlewis.com

Email: matthew.minerva@morganlewis.com

Email: michael.ableson@morganlewis.com

*Attorneys for Defendants Saxon Mortgage
Services, Inc. and Morgan Stanley*